



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,864	11/04/2005	Silvio Maria Trevisan	23416	2564
535	7590	08/20/2008	EXAMINER	
K.F. ROSS P.C. 5683 RIVERDALE AVENUE SUITE 203 BOX 900 BRONX, NY 10471-0900			EDWARDS, LAURA ESTELLE	
			ART UNIT	PAPER NUMBER
			1792	
			MAIL DATE	DELIVERY MODE
			08/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/555,864

Applicant(s)

TREVISAN, SILVIO MARIA

Examiner

Laura Edwards

Art Unit

1792

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7, 9-12 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7, 9-12, and 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Specification

The substitute specification filed 5/13/08 is acknowledged and has been entered.

35 USC § 112 Sixth Paragraph

Acknowledgement is made of claims 7, 9, 12, and 16-20 which include means plus function limitation(s) which have been treated under 35 U.S.C. 112, sixth paragraph.

Claim Rejections - 35 USC § 112

Claims 7, 9, 10-12, and 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 7, page 4, lines 3-7, it is unclear how the second guide means being at the first (1st) application station results in the manipulation of the article during application of the second (2) layer. In other words, it appears that the end of the phrase should result in the manipulation of the article during application of the first (1st) layer NOT the second (2) layer.

In claim 7, page 5, lines 4-5, Applicants recite, "at least a first following section" and it is unclear whether this is a different section than the one recite in claim 7, page 4, lines 20-21. Clarification is necessary.

In claim 9, line 9, "the detected measurements" lack antecedent basis. This should be changed to --detected measurements--.

In claim 10, line 3, "claim 1" should be changed to --claim 7-- because claim 1 has been cancelled.

In claim 10, page 6, line 3, “the travel direction” lacks antecedent basis. This should be changed to --a travel direction--.

In claim 11, line 6, “the travel direction” lacks antecedent basis.

In claim 12, lines 1-2, it is unclear what is meant by the phrase, “Powder-painting equipment in a for a rolling”.

In claim 12, page 7, line 15, “the first application means” lacks antecedent basis.

In claim 12, page 7, line 18, “the first layer” lacks antecedent basis.

In claim 12, page 7, line 20, “said first paint layer” lacks antecedent basis.

In claim 12, page 8, lines 1-5, it is unclear how the second guide means being at the first (1st) application means results in the manipulation of the article during application of the second (2) layer. In other words, it appears that the end of the phrase should result in the manipulation of the article during application of the first (1st) layer NOT the second (2) layer.

In claim 15, line 1, “The equipment” should be changed to --The powder-painting equipment--.

In claim 16, lines 5-6, “said following section” lacks antecedent basis.

In claim 17, line 3, “said guide means” should be changed to --both said guide means-- both two separate guide means are formerly recited.

Allowable Subject Matter

Claims 7/9-11, 16, 17 and 12/15, and 18-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 7, 9-11, 16, and 17 would be allowable because there is no teaching or suggestion in the prior art of powder painting equipment for an article comprising the combination of overhead conveyor means for transporting the article along a horizontal conveyor path, the conveyor means including a support organ supporting the article for rotation about a generally vertical axis, the support organ having first and second flat plates rotationally fixed to the article supported by the organ and extending in respective vertical planes at right angles to each other, first application means adjacent the transport path for applying a first layer of powder paint to the article, first guide means at the first application means for engaging the first plate and holding the article in a predetermined angular position relative to the axis during application of the first layer; means at a first station downstream of the first application means for fixing said first paint layer, at least a second centre application means downstream of the first station for applying at least a second layer of powder paint in a color, tone or properties different from said first paint layer to the article, second guide means at the first application means for engaging the second plate and holding the article in a predetermined angular position offset by about 90° to the first position relative to the axis during application of the *first* layer; means at a second station downstream of the second application means for the final baking of said first and second paint layers, second means downstream of the second application means and including a roll or brush for rolling or brushing the manufactured article to produce a desired decorative effect, a first mobile support unit mounted in each paint application centre means and adapted to move respective paint means along a corresponding closed cyclic passage including at least a first following section of the article during which a relative movement is imposed between the respective paint application means and the article, and first mobile means in said rolling or

brushing equipment, for moving the respective roller or brush along a corresponding closed passage including the first following section of the article during which a relative movement is imposed between first roller or brush and the article.

Claims 12/15, and 18-20 would be allowable because there is no teaching or suggestion in the prior art of a powder-painting equipment for rolling or brushing an article to reproduce a desired decorative finish, the equipment comprising the combination of an overhead conveyor means for transporting the article in a travel direction along a horizontal conveyor path, the conveyor means including a support organ supporting the article for rotation about a generally vertical axis, the support organ having first and second flat plates rotationally fixed to the article supported by the organ and extending in respective vertical planes nonparallel to each other, a first rolling or brushing means having a roller or brush and mounted on a first mobile support unit adapted to move it movable along a corresponding closed circuit passage comprising of having a single following section of the article during which movement is imposed between said roller or brush and the article, and a single return section, said following section extending in a direction that slopes in relation to the travel direction of the article, first guide means at a first application means for engaging the first plate and holding the manufactured article in a predetermined first angular position relative to the axis during application of a first layer; means at a first station downstream of the first application means for fixing said first layer, second centre application means downstream of the first station for applying at least a second layer of powder paint in a color, tone or properties different from said first paint layer to the article, and second guide means at the first application means for engaging the second plate and holding the

manufactured article in a predetermined second angular position angularly offset from the first position relative to the axis during application of the *first* layer.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Edwards whose telephone number is (571) 272-1227. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura Edwards/
Primary Examiner
Art Unit 1792

le
August 18, 2008